

MARISA D. POULOS (SBN 197904)  
marisa.poulos@balboacapital.com  
BALBOA CAPITAL CORPORATION  
575 Anton Boulevard, 12th Floor.  
Costa Mesa, California 92626  
Tel: (949) 399-6303

Andrew K. Alper (State Bar No. 088876)  
aalper@frandzel.com  
Marshall J. August (State Bar No. 105361)  
maugust@frandzel.com  
FRANDZEL ROBINS BLOOM & CSATO,  
1000 Wilshire Boulevard, Nineteenth Floor  
Los Angeles, California 90017-2427  
Telephone: (323) 852-1000  
Facsimile: (323) 651-2577

Attorneys for Plaintiff,  
Ameris Bank dba Balboa Capital Corporation

15 AMERIS BANK, a Georgia corporation  
dba Balboa Capital Corporation

Plaintiff.

v.

18 GLOWDOC, LLC, a Louisiana Limited  
19 Liability Company; BHAVINIBEN  
20 PATEL aka BVAHINI PATEL aka  
BHAVINIBEN SURESHBHAI PATEL  
aka BHAVINIBEN SURESHBHAI  
21 PATEL, M.D., an individual,

22 | Defendants.

Case No. 8:24-CV-00522-JWH-(KESx)

**AMERIS BANK'S NOTICE OF  
MOTION AND MOTION FOR  
ENTRY OF DEFAULT JUDGMENT  
AGAINST DEFENDANTS  
GLOWDOC, LLC, and  
BHAVINIBEN PATEL AKA  
BVAHINI PATEL AKA  
BHAVINIBEN SURESHBHAI  
PATEL AKA BHAVINIBEN  
SURESHBHAI PATEL, M.D.  
[Fed. R. Civ. P. 55(b)(2)]**

Date: July 19, 2024  
Time: 9:00 A.M.  
Crtrm.: 9D  
Location: Ronald Reagan Federal  
Building and United  
States Courthouse  
411 West Fourth Street,  
Santa Ana, CA, 92701

1           **TO THE UNITED STATES DISTRICT COURT FOR THE CENTRAL  
2 DISTRICT OF CALIFORNIA, SOUTHERN DIVISION, ALL DEFENDANTS  
3 HEREIN AND THEIR RESPECTIVE ATTORNEYS IF ANY:**

4           **PLEASE TAKE NOTICE** that on July 19, 2024, at 9:00 a.m., or as soon  
5 thereafter as this matter may be heard in Courtroom 9D of the above-entitled Court,  
6 located at the Ronald Reagan Federal Building and United States Courthouse, 411  
7 West Fourth Street, Santa Ana, CA, 92701-4516, Plaintiff Ameris Bank dba Balboa  
8 Capital Corporation (“Plaintiff”), will present its Motion for Default Judgment  
9 against Defendants Glowdoc, LLC, a Louisiana limited liability company  
10 (“Glowdoc” or “Borrower”) and the Guarantor of the Borrower’s obligation  
11 Bhaviniben Patel aka Bvahini Patel aka Bhaviniben Sureshbhai Patel aka  
12 Bhaviniben Sureshbhai Patel, M.D. (“Patel” or Guarantor”). (“Borrower and  
13 Guarantor will sometimes collectively be referred to as “Defendants”).

14           This Motion is being made pursuant to Rule 55(b)(2) of the Federal Rules of  
15 Civil Procedure (“Rules”) on the grounds that Defendants have failed to plead or  
16 otherwise defend in response to the Plaintiff’s complaint. The Clerk entered the  
17 defaults of the Defendants on April 30, 2024. Dkt. 20. The Defendants have not  
18 filed any responsive pleadings or requested that the entry of defaults be set aside.

19           Defendants are not minors and are not incompetent persons or in military  
20 service or otherwise exempted under the Soldiers’ and Sailors’ Civil Relief Act of  
21 1940. Defendants have not appeared in this action.

22           Accordingly, under Rule 55(b)(2), Plaintiff is entitled to a Default Judgment  
23 against Defendants, and each of them, jointly and severally, on account of the claims  
24 pleaded in the Complaint. In particular, Plaintiff is entitled to a joint and several  
25 judgment against Borrower on the first claim for relief for Breach of Equipment  
26 Finance Agreement and against Guarantor on the second claim for relief for Breach  
27 of Personal Guaranty.

FRANDZEL ROBINS BLOOM & CSATO, L.C.  
1000 WILSHIRE BOULEVARD, NINETEENTH FLOOR  
LOS ANGELES, CALIFORNIA 90017-2427  
(323) 852-1000

1 Plaintiff seeks a Default Judgment against Defendants in the total sum of  
2 \$151,521.77.

3 This Motion is based on the entered defaults in this matter, the Complaint,  
4 this Notice, the Memorandum of Points and Authorities submitted herewith, the  
5 attached Declarations of Don Ngo and Andrew K. Alper and the pleadings, files and  
6 other matters that may be presented at the hearing.

7 WHEREFORE, Plaintiff seeks the following:

8 1. Entry of an order Granting this Motion in the form of the Proposed  
9 Order submitted herewith;

10 2. Entry of a money judgment, in the form of the Proposed Default  
11 Judgment submitted herewith, in favor of Plaintiff and against Defendants, jointly  
12 and severally, in the amount of \$151,521.77 based on the sum of \$144,263.99  
13 together with attorney's fees of \$6,893.50 and \$674.28 for costs on the First and  
14 Second Claims for Relief in the Complaint; and

15 3. For such other relief as the Court may deem just and appropriate.

16  
17 DATED: June 14, 2024

FRANDZEL ROBINS BLOOM &  
CSATO, L.C.  
ANDREW K. ALPER  
BRUCE POLTROCK

20  
21  
22  
23  
24  
25  
26  
27  
28

By:

  
ANDREW K. ALPER  
Attorneys for Plaintiff, Ameris Bank dba  
Balboa Capital Corporation

## **PROOF OF SERVICE**

**8:24-CV-00522-JWH-(KESx)**

I, the undersigned, declare and certify as follows:

I am over the age of eighteen years, not a party to the within action and employed in the County of Los Angeles, State of California. I am employed in the office of Frandzel Robins Bloom & Csato, L.C., members of the Bar of the above-entitled Court, and I made the service referred to below at their direction. My business address is 1000 Wilshire Boulevard, Nineteenth Floor, Los Angeles, CA 90017-2427.

On June 14, 2024, I served true copy(ies) of the AMERIS BANK'S  
**NOTICE OF MOTION AND MOTION FOR ENTRY OF DEFAULT  
JUDGMENT AGAINST DEFENDANTS GLOWDOC, LLC, and  
BHAVINIBEN PATEL AKA BVAHINI PATEL AKA BHAVINIBEN  
SURESHBHAI PATEL AKA BHAVINIBEN SURESHBHAI PATEL, M.D.**

[Fed. R. Civ. P. 55(b)(2)], the original(s) of which is(are) affixed hereto. to the party(ies) on the attached service list.

**BY CM/ECF NOTICE OF ELECTRONIC FILING:** I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

Andrew K Alper aalper@frandzel.com, rsantamaria@frandzel.com

Bruce David Poltrack [bpoltrock@frandzel.com](mailto:bpoltrock@frandzel.com), [sking@frandzel.com](mailto:sking@frandzel.com)

Marisa D Poulos marisa.poulos@balboacapital.com

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct.

Executed on **June 14, 2024**, at Los Angeles, California.

W. Hass

# Annette Chase